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July 8, 2003

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JUL 10 2003

TECH CENTER 1600/2900

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop AF

Re: U.S. Patent Application No. 09/606,977
Filed: June 28, 2000
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants
Inventor: Joseph R. BYRUM
Atty. Docket No.: 16517.144

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO):

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (in duplicate); and
2. Return postcard.

Applicant requests that the \$320.00 fee for filing a notice of appeal be charged to Deposit Account No. 50-2387, referencing matter no. 16517.144.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

ARNOLD & PORTER

Commissioner for Patents
July 8, 2003
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In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if additional fees under 37 C.F.R. §§ 1.16 or 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing matter number 16517.144. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David R. Marsh" and "Holly Logue Prutz" joined together.

David R. Marsh (Reg. No. 41,408)
Holly Logue Prutz (Reg. No. 47,755)

Attachments



21
7/11/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Joseph R. BYRUM

Appln. No.: 09/606,977

Filed: June 28, 2000

Title: **Nucleic Acid Molecules and Other
Molecules Associated with Plants**

Art Unit: 1631

Examiner: Marianne P. ALLEN

Atty. Docket: 16517.144

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**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop AF

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision of the Examiner dated April 8, 2003, that resulted in Applicant having claims that have been twice or finally rejected.

Authorization to charge the official fees for this filing is given in the accompanying transmittal letter. A duplicate copy of this Notice is attached.

Respectfully submitted,

07/09/2003 EAREGAY1 00000026 502387 09606977

01 FC:1401 320.00 DA

Lawrence M. Lavin, Jr.

Lawrence M. Lavin, Jr. (Reg. No. 30,768)
by David R. Marsh (Reg. No. 41,408)

Date: July 8, 2003

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by
David R. Marsh